

# **SPECIAL LICENSE PLATE REVIEW BOARD**

## **MEETING MINUTES**

Special Meeting of the Special License Plate Review Board  
Tuesday, November 04, 2009 – 10:00 AM to 12:00 PM  
Puget Sound Regional Council  
1011 Western Avenue Suite 500  
Seattle WA 98104

**MISSION:** *To create a fair and balanced mechanism that will allow for the evaluation of special license plate applications for possible approval and to make recommendations to the Legislature regarding plate series with inadequate reimbursement levels.*

### **ATTENDEES**

Board Members: Senator Mary Margaret Haugen, Representative Geoff Simpson, Mayor  
Mayor Mike Ciraulo, Capt. Jeff Devere, Toni Wilson

Absent: Senator Don Benton, Representative Doug Ericksen

Support Staff: Joann Davis

Legislative Staff:

Legal Advisor: Jerry Anderson (Absent)

Agency Guests:

Public Guests: Gigi White, Dave Turissini, Danille Turissini

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### **I. CALL TO ORDER**

#### **1. Introductions (*Chairman, Mayor Mike Ciraulo*)**

The board members, board staff, and public guest introduced themselves.

#### **2. Review and approve meeting minutes from the 11/18/08 meeting. (*Chairman, Mayor Mike Ciraulo*)**

Moved, seconded and carried to accept meeting minutes from 11/18/08 meeting.

#### **3. Review and approve meeting agenda. (*Chairman, Mayor Mike Ciraulo*)**

Moved, seconded and carried to accept agenda for the meeting today.

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### **II. PROGRAM STATUS & IMPLEMENTATION**

#### **4. 2009 Sales Data (monthly report information)**

Joann reviewed the special plate sales data as of October 1, 2009. The data provided the amount of special plates currently registered compared to plates registered last year. Washington State Law Enforcement Memorial has the highest number of plates registered followed by Wild on Washington.

The data also included totals for specialty plates issued prior to 2003, dating back to 1979.

The Wild on Washington (Eagle) plate has the highest number of personalized special plates registered followed by Washington National Park. Washington State Law Enforcement Memorial plate is next.

The Board agreed that data shows sales of special plates have continued to increase from the previous year.

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### III. OTHER BOARD BUSINESS

5. Review amended annual financial report for: (*Joann Davis*)

a. Washington State Department of Veterans affairs – 2007 Report

Washington State Department of Veterans Affairs submitted an amended report reflecting donations received in 2007. No action required from the Board.

The Board accepted the amended version of the report submitted for 2007.

6. Annual Financial Report Review: (*Joann Davis*)

Joann explained that the overview report lists all the Annual Financial reports submitted by the organizations. This includes revenue received, administrative costs, advertising, fundraising and expenses for each organization.

- a. Children's Trust Fund (Keep Kids Safe)
- b. Washington State Parks and Recreation Commission
- c. Washington Department of Fish and Wildlife - Eagle
- d. Washington Department of Fish and Wildlife - Orca
- e. Washington Department of Fish and Wildlife – Deer, Bear and Elk Collection
- f. Washington State Department of Veterans Affairs
- g. Rite Care of Washington (Helping Kids Speak)
- h. Washington State Law Enforcement Memorial
- i. Washington State Council of Fire Fighters
- j. Washington's National Park Fund
- k. Northwest Winter Sports Foundation (Ski & Ride)
- l. Lighthouse Environmental Programs
- m. WA Federation of Animal Care and Control Agencies (We Love our Pets)
- n. Gonzaga University Alumni Association
- o. Bicycle Alliance of Washington (Share the Road)

The Board discussed only the Annual Financial reports if there were specific questions from board members. The reports were reviewed prior to the meeting.

**Question:** Senator Haugen inquired about the use of revenue received from the Law Enforcement plate (LEM) and if the foundation provides scholarship funds to surviving children of Law Enforcement Officers.

The Board determined LEM funds are currently used to preserve the Law Enforcement Memorial located on the Capitol Campus in Olympia and eventually the revenue will also be used to assist surviving families.

Senator Haugen pointed out that sales of We Love Our Pets, Share the Road and Lighthouse plates have increased since the organizations increased fundraising events and advertisement.

Mayor Mike Ciraulo asked if the Board would like to further review and discuss the financial reports. The Board agreed to end the discussion on the financial annual reports and begin discussion on the next topic: Attorney General's opinion on creation of plates that are controversial or offensive. The federal 7<sup>th</sup> Circuit Court of Appeals ruled that Illinois does not have to issue plates bearing messages that are controversial and the state has the right to remain neutral by not entertaining either viewpoint of an emotional issue.

7. Representative Simpson discussed with the Board about the sensitive nature of issuing plates with controversial messages.

**Question:** Mayor Mike Ciraulo asked Representative Simpson if this would be something the legislature would want to pursue in our state.

Response: Representative Simpson informed the board that there may be an opportunity for the legislature to make a policy decision about license plates and pass an amendment to the statute indicating the Board or legislation will not entertain plates that are controversial or offensive. However, there would most likely be individuals on both sides of the issue that would think it is probably not an appropriate forum to argue for or against reproductive rights, and it is possible that someone in legislation might sponsor a bill to include that information.

Toni Wilson, Vehicle Licensing Manager, shared information with the Board about the current law for personalized plates. The statute gives the Personalized Plate Review Board the authority to deny issuance of personalized plates with messages that are offensive to good taste, decency or misleading. Numerous plates have been canceled with slang messages that are offensive based on this statute.

**Question:** Senator Haugen indicated she did not perceive how the legislature could move forward to introduce a bill during this session. She suggested that maybe a hearing on the subject should be scheduled to receive feedback from legislators. She asked if anyone

has ever challenged the agency's decision to deny a personalized plate because the meaning was controversial?

Response: Toni Wilson informed the Board that denials have been challenged, but not at a court level on whether the denial was justified. Also, there have been no messages addressing reproductive rights that have went to the Personalized Plate Review Board for a decision.

Jeff Devere of WSP explained the impact and concerns the new standard plate has generated from the law enforcement community. He also stated that currently the number of special plates are acceptable and has not caused a safety issue. However, law enforcement would need to assess the safety issue again for impact if the number of new plates increases significantly. He also indicated that there should be a limit set on the amount of special plates created. He explained the reason law enforcement requested the changes in the new series of standard plates (3 alphas, 4 numerics) was to make it easier for law enforcement and citizens to remember plate numbers for reporting purposes.

Representative Simpson inquired about the length of time DOL keeps a plate number for specialty plates after an individual has given the plate up and would DOL issue the plate number to someone else.

Toni Wilson explained that plate numbers are not recycled and assigned to another customer; however, in the future it may be necessary if we run out of plate numbers. She further stated that some of the organizations have changed to 2 alphas as an identifier to make sure there is adequate plate numbers. Also with the new series of plate numbers, 3 Alphas, 4 numeric, organizations applying for special plates will be prohibited from using 3 Alphas and most likely be required to use 2 Alphas as the plate identifier.

Representative from Music Matters asked if the alpha characters MM would be available. Toni Wilson explained that the plate identifier MM has already been assigned to the Rite Care of Washington Mason Plate (Helping Kids Speak).

The Board inquired about which organization was approved for the first specialty plate. Senator Haugen responded that the Rite Care of Washington Mason Plate (Helping Kids Speak) was the first plate approved in 2004.

Joann presented an article on a new special plate in Virginia, the vegetarian plate.

Mayor Mike Ciraulo asked if the Board needed to discuss other topics and opened the floor for discussion.

Jeff Devere of WSP further reiterated that there should be a limitation on the number of special license plates created so law enforcement can easily manage and identify the various plates as a Washington plate.

Senator Haugen asked if the vehicle database had been updated. Toni Wilson informed the Board that there have been some updates and eventually the agency's goal is to combine drivers and vehicles information in one database.

The Board discussed the increase in Gold Star Plates that have been issued.

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#### **IV. ORGANIZATION PACKETS FOR REVIEW AND APPROVAL**

8. None – Moratorium extended until 7/1/2011.

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#### **V. QUESTIONS/CONCERNS ADDRESSED BY ORGANIZATIONS**

9. None

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#### **VI. OPEN PUBLIC PRESENTATIONS/INPUT**

Danille Turissini from Music Aid Northwest asked to speak during the meeting and informed the Board that she was there along with others to ask that the moratorium be lifted. She explained that the organization she represents is to preserve music programs in the schools and the organization would like to be a part of the solution so new plates such as Music Matters and 4-H plates related to schools can be issued.

Danielle indicated social problems can be very complex on whether you are pro or against a topic. She wanted to know if the statute could be amended to say the plate must directly benefit public funds, such as schools. Therefore, organizations not meeting the criteria would know up front that they don't qualify for a special plate.

##### **Question:**

Jeff Devere expressed his concerns on amending the RCW to include the verbiage suggested and how it would affect plates that have already been issued. Law enforcement and other organizations with current special plates would be affected if the revenue received from the plates was not used to support public funds such as schools. He asked the question of whether or not she was suggesting that the change in statute be retroactive.

**Response:**

Danielle Turissini replied that it could possibly affect existing plates; however, there is a moratorium on issuing any new special plates because of the controversial issue.

Senator Haugen explained that the main factor for extending the moratorium was not to avoid issuing a controversial plate. However, the moratorium was extended for budget and financial reasons, as well as, to limit the amount of new plates on the road for law enforcement reasons.

Representative Simpson made reference again to the AG's opinion in the Illinois case where the 7<sup>th</sup> Circuit Court of Appeals upheld the law in Illinois based on a legislative policy set forth. The policy indicated Illinois did not believe the license plate was the appropriate forum to indicate pro or con when it comes to controversial messages on the license plate. Therefore, Illinois chose to remain neutral regarding the controversial message.

The Board agreed that during the 2010 board meeting the topic of limiting the amount of plates and adding an amendment should be addressed more thoroughly in preparation for the 2011 legislative session.

Senator Haugen further clarified that there is a limitation during this budget cycle that would also affect issuance of new speciality plates. She indicated that there are several organizations that desire a plate representing good causes that have also been affected by the moratorium.

Danille Turisinni asked how this balances with education funding since the Music Matters plate would directly benefit programs in schools.

Senator Haugen explained that not all money for education comes from the transportation funds and transportation funds are available for Department of Licensing. However, she reiterated the importance of education, and how she would like to do more for education. She also explained to the organization and the Board that not all money is "green" money when it comes to Olympia and the availability of transportation funds for education is very minimal.

Representative Simpson stated that legislation could be written to say the plate would be funded from the general fund budget to cover the startup costs. However, the state is currently facing a 1.7 billion deficit.

**Question:**

Representatives from Northwest Music Aid (Music Matters) wanted to know how much above the startup costs does the state pays to create a new plate.

Joann responded that the amount set in place during the early phase of the special license plate program for start up cost is \$30,299.00. She also stated that the full amount is due

along with signatures indicating that 3500 sets of plates will be purchased when the organization submits the application. She also informed the Board that the startup fee collected may not cover the entire cost of programming and the agency absorbs some of the costs.

Assignment

Mayor Mike Ciraulo asked if organizations could pick up the full cost associated with programming and software for creating a special plate. The Board asked Joann to find out the actual cost of start up for special plates, including costs absorbed by the agency.

**Question:**

A representative from Northwest Music Aid asked if it would be permissible for an organization to submit extra funds with the start up cost to help the state. She expressed if a bill was presented to the legislature about the goals of Music Matters and the potential the organization has to raise revenue through various concerts, the legislature may support it. She also expressed that the organization has a legislative sponsor and the support of music organizations nationwide.

Joann explained that the start up costs is the same for all of the organizations and DOL would not be able to accept fees above the set amount.

Senator Haugen thanked the representatives from Northwest Music aides for coming. She suggested that the organization discuss the possibility with Representative Simpson. She also stated that organizations supporting schools should not have to come up with innovative ways to fund school programs.

**Question:** The Board inquired about the number of organizations that have collected signatures, along with how long are the signatures valid that are collected by organizations.

Assignment

Rep Simpson requested asked Joann to email a list of groups that have collected to the Board members.

Representative Simpson did not foresee that there would be any opposition to the cause Music Matters is supporting if the opportunity was available. However, he explained that several issues must be addressed before the Board can move forward with the issuance of new plates. He informed the group that he will work with them and would like to set up a meeting to discuss ways to introduce language in a bill for 2010 session. He inquired about the number of signatures Northwest Music Aid has collected and how long the signatures are valid.

Danielle informed the Board that the organization has collected 1000 signatures for multiple vehicles. She explained to the Board that their organization wants to be a part of the solution and would like to come up with a solution to benefit music programs that are

being cut. She also informed the Board members that the group has a large support group, which includes Lieutenant Governor Brad Owens. There are several local musicians that are willing to provide concerts to raise funds for this project and would like to bring the concerts to the capital as a fundraiser.

**Response:**

Joann explained there is a 3 year limit on signatures unless the organization starting collecting signatures prior to the moratorium set in place that ended in 2009. This information is located in WAC 308-96A-560. She also provided the Board with the names of some of the organizations that have begun collecting signatures: Volunteer Firefighters have not collected all of their signatures; however, the Youth Soccer Association and 4-H club have collected the appropriate signatures.

Senator Haugen expressed concerns about how the Board would choose another organization over those that have already completed the process of obtaining signatures and have been waiting for the moratorium to end.

**Assignment**

Toni Wilson requested for the WAC to be updated with moratorium ending date of July 1, 2011.

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**VII. OPEN DISCUSSION**

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**VIII. NEXT MEETING**

10. TBA-November 2010

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**ADJOURN**

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